

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

CHEYENNE L. SKIFFINGTON, On behalf of  
herself and all others similarly situated

Plaintiff

v.

LINDNER & ASSOCIATES, P.C. and MARK  
LINDNER

Defendants

CIVIL ACTION NO. 07-30043-KPN

DEFENDANTS MARK LINDNER AND LINDNER & ASSOCIATES, P.C. 'S REPORT  
REGARDING SETTLEMENT NEGOTIATIONS AND REQUEST FOR RULE 16  
CONFERENCE

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As requested by this Court on October 4, 2007, Defendants Mark Lindner and Lindner & Associates, P.C. (collectively, "Lindner") provide the following report as to settlement negotiations in the above-captioned matter:

1. On October 9, 2007, Lindner made a settlement offer to the plaintiff Cheyenne Skiffington ("Skiffington") to settle all claims asserted in the above-captioned matter.
2. On October 10, 2007, Skiffington's counsel requested information regarding the date on which Lindner began seeking percentage-based attorney's fees and when Linder stopped this practice.
3. On October 16, 2007, Lindner responded to this request and confirmed that Lindner ceased using the challenged practice as of March 2007 but without extensive research cannot state with certainty when such practice commenced.

4. On October 17, 2007, Skiffington made a counter-proposal to settle the above-captioned claims.

5. On October 18, 2007, Lindner made an increased settlement offer, to which Skiffington made a counter-offer.

6. Lindner made another increased offer to settle on October 18, 2007 which Skiffington responded with a reduced demand.

7. The parties engaged in another round of settlement negotiations on October 19, 2007 but were unable to reach a settlement.

8. The parties are extremely close to reaching a settlement in this matter. Lindner believes a resolution could be reached with the assistance of this Court and hereby requests that the Court schedule a settlement conference.

Respectfully Submitted,

MARK LINDNER and LINDNER & ASSOCIATES, P.C.

By their attorneys,

/s/ Katherine L. Kenney

Michael J. Stone, BBO #482060  
Katherine L. Kenney, BBO #637204  
PEABODY & ARNOLD LLP  
Federal Reserve Plaza  
600 Atlantic Avenue  
Boston, MA 02210  
(617) 951-2100

**CERTIFICATE OF SERVICE**

I, Katherine L. Kenney, hereby certify that on this 19<sup>th</sup> day of October, 2007, I served the above electronically to all counsel of record.

Kenneth D. Quat, Esquire  
9 Damonmill Square, Suite 4A-4  
Boston, MA 01742

/s/ *Katherine L. Kenney*  
Katherine L. Kenney

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